



The Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

Matter of: GLH, Inc.  
File: B-223994  
Date: November 18, 1986

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### DIGEST

Proposal responding to solicitation leading to multiple award, task order, indefinite delivery, indefinite quantity contracts for automatic data processing planning services was properly rejected for failing to meet solicitation qualification criteria requiring the implementation of two or more major information systems, where the procuring agency reasonably found that the projects identified in the proposal were not the implementation of "major" information systems.

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### DECISION

GLH, Inc. (GLH), protests the rejection of its proposal by the Office of Software Development and Information Technology, General Services Administration (GSA), under request for proposals (RFP) No. GSC-0IT-6006 for comprehensive information resources management planning support services. We deny the protest.

The awardees under this RFP are to provide planning support services to GSA's Federal Information Resources Management Planning Support Center (FIRMPSC) on behalf of that office's customer agencies under task order, indefinite delivery, indefinite quantity contracts. Proposals were received from 15 offerors on this RFP and contracts were awarded to 11. Each task order will be competed among the awardees.

GSA concluded that GLH's proposal could not be considered for award because it did not meet one of the minimum corporate experience requirements. That provision, set forth at paragraph M.3.1.f. of the RFP, required:

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"Completion, within the last three years, of two or more projects for the implementation of major automated information systems. Experience in this area must be related to the type of projects described in this request for proposal, and the design and development of Automated Data Processing (ADP) systems using modern concepts, techniques, and high-level or fourth level programming languages. Experience can also include the design and development of integrated, subject data bases."

GLH contends that its proposal shows that it meets this corporate experience requirement. Alternatively, GLH contends that the evaluation factors are ambiguous and indefinite. GLH's alternative contention will not be considered by our Office as this contention is untimely filed under our Bid Protest Regulations, 4 C.F.R. § 21.2(a)(1), inasmuch as this issue was not raised prior to the initial closing date for receipt of proposals on this RFP.

GSA concluded that GLH's stated corporate experience was not in the completion of major information systems because the dollar value and GLH's role in the information system projects identified in its proposal were not of sufficient magnitude to qualify as major. GLH disagrees and states that it identified at least nine projects involving the implementation of major information systems.

The determination of the relative merits of proposals is primarily a matter of administrative discretion; the exercise of that discretion will not be disturbed unless it is shown to be arbitrary or violative of procurement law. National Capital Medical Foundation, Inc., B-215303.5, June 4, 1985, 85-1 C.P.D. ¶ 637.

GLH argues that the term "major information system" is not defined and its proposed projects qualify under paragraph M.3.1.f. of the RFP. GSA states that its definition of the terms "information system" and "major information system" is that defined in Office of Management and Budget (OMB) Circular No. A-130, 50 Fed. Reg. 247, Dec. 24, 1985, subparagraphs 6(d) and (e), which provide:

"d. The term 'information system' means the organized collection, processing, transmission, and dissemination of information in accordance with defined procedures . . .

"e. The term major information system means an information system that requires special continuing management attention because of its importance to an agency mission; its high development, operating or maintenance costs; or its significant impact on the administration of agency programs, finances, property or other resources."

The first project identified by GLH in its proposal involved the system planning, design and implementation of the "ARPMIS" executive level information system for the Office of the Associate Administrator for Airports, Federal Aviation Administration (FAA). GLH was paid \$56,000 for this effort, which extended over a period lasting almost two and one-half years. Although this GLH project clearly involves the implementation of an information system, GSA claims that since the average anticipated task order to be placed under the awarded contracts will be between \$75,000 and \$125,000, this GLH project was not a major system implementation project.

GLH also designed and implemented eight software system "tools" for program management to assist with cost, schedule and performance tracking for Martin Marietta Corp. under its contract with FAA as the systems integrator of the National Airspace System program.

GSA states that although each tool is an "information system" under OMB Circular No. A-130, these tools are part of a much larger automated information system. GSA has found that "GLH was a small player in a much larger effort and its effort was limited to work on some small subcomponents of major information systems." Based on our review, GSA reasonably concluded that the foregoing GLH projects were not the implementation of "major" information systems under the OMB Circular No. A-130 criteria.

GLH apparently admits that the other projects identified in its proposal and in subsequent discussions did not include the implementation of major information systems. However, GLH claims that its \$90,000 consultant retainer agreement with the General Electric Company, which involved the design and development of integrated data bases, should have been accepted as a project satisfying this criterion in view of the last sentence of section M.3.1.f. of the RFP. However, our reading of this section indicates that any experience in developing those integrated subject data bases referenced in that last sentence had to be part of a project implementing a major automated information system in order to satisfy this criterion. GSA, on two occasions, conducted discussions with GLH requesting further documentation about GLH projects. GSA made it clear, during the discussions, that this criterion

could only be satisfied by the completion of the implementation of two or more major automated information systems. Consequently, GLH's other experience did not satisfy the paragraph M.3.1.f. criterion.

Therefore, GLH's protest is denied.

*for Seymour Efron*  
Harry R. Van Cleve  
General Counsel